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OFFICE

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

August 2001 Grand Jury

01 CR 3177 W

UNITED STATES OF AMERICA,

Criminal Case No. _____

Plaintiff,

I N D I C T M E N T

v.

Title 21, U.S.C., Sec. 848(a) -

Continuing Criminal Enterprise;

DENNIS LOUIS ALBA (1),

Title 21, U.S.C., Secs. 846 and

MARK STEPHEN FORRESTER (2);

841(a)(1) - Conspiracy to

DONALD LEE WALTERS (3);

Manufacture and Distribute

HOBART HUSON (4),

Ecstasy; Title 18, U.S.C.,

aka Strike,

Secs. 1956(h) and

WALTER CRAIG FORRESTER (5);

1956(a)(2)(A)(i) - Conspiracy

MARTIN GOMEZ-MARISCAL (6);

to Transfer Monetary Instruments

AARON LEON LITTERAL (7);

to Promote an Unlawful Activity;

RAFAEL HERNANDEZ-MENDEZ (8);

Title 18, U.S.C., Secs. 1956(h)

ISRAEL HERNANDEZ-MENDEZ (9);

and 1956(a)(1)(A)(i) - Conspiracy

JUAN CHAVEZ-LARA (10);

to Conduct Financial Transactions

KARL VINCENT TAMEZ (11);

to Promote an Unlawful Activity;

DEREK MEYER GALANIS (12);

Title 21, U.S.C., Sec. 853 -

DAVID KAZUMI WADA (13);

Criminal Forfeiture

DEAN EDWARD BOWEN (14);

BRIAN DUFF CHAPMAN (15);

KENNETH ARTHUR CUTLER (16);

TED FRANK LEBLANC (17);

LISA GENE AARHUS (18);

Defendants.

The grand jury charges:

Count 1

Beginning in or about November, 2000, and continuing up to and including October 18, 2001, within the Southern District of California, and elsewhere, defendant DENNIS LOUIS ALBA, did knowingly

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1 and intentionally engage in a continuing criminal enterprise by
2 violating various provisions of the Controlled Substances Act
3 (Title 21, United States Code, Sections 846, 843(b) and 841(a)(1)),
4 which offenses were part of a continuing series of violations of the
5 Controlled Substances Act, and were undertaken by defendant DENNIS
6 LOUIS ALBA with at least five other persons, with respect to whom
7 defendant DENNIS LOUIS ALBA occupied a position of organizer,
8 supervisor, and leader, and from which continuing series of violations
9 defendant DENNIS LOUIS ALBA obtained substantial income and resources;
10 in violation of Title 21, United States Code, Section 848(a).

11 Count 2

12 Beginning in or about November, 2000, and continuing up to and
13 including October 18, 2001, within the Southern District of
14 California, and elsewhere, defendants DENNIS LOUIS ALBA, MARK STEPHEN
15 FORRESTER, DONALD LEE WALTERS, HOBART HUSON, aka Strike, WALTER CRAIG
16 FORRESTER, MARTIN GOMEZ-MARISCAL, AARON LEON LITTERAL, RAFAEL
17 HERNANDEZ-MENDEZ, ISRAEL HERNANDEZ-MENDEZ, JUAN CHAVEZ-LARA, KARL
18 VINCENT TAMEZ, DEREK MEYER GALANIS, DAVID KAZUMI WADA, DEAN EDWARD
19 BOWEN, BRIAN DUFF CHAPMAN, KENNETH ARTHUR CUTLER, TED FRANK LEBLANC
20 and LISA GENE AARHUS, did knowingly and intentionally conspire
21 together and with each other and with other persons known and unknown
22 to the grand jury to manufacture and distribute a controlled
23 substance, to wit, 3,4 Methylenedioxyamphetaimine ("MDA"), commonly
24 known as "ecstasy", a Schedule I Controlled Substance; in violation
25 of Title 21, United States Code, Sections 846 and 841(a)(1).

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Count 3

Beginning in or about November, 2000, and continuing up to and including July, 2001, within the Southern District of California, and elsewhere, defendant DENNIS LOUIS ALBA did knowingly and intentionally conspire with other persons known and unknown to the grand jury to transmit and transfer monetary instruments and funds from the United States to a place outside the United States, to wit, Sweden, with the intent to promote the carrying on of a specified unlawful activity, that is, conspiracy to manufacture and distribute a controlled substance, to wit, 3,4 Methylenedioxyamphetaimine ("MDA"), commonly known as "ecstasy", a Schedule I Controlled Substance, in violation of Title 21, United States Code, Sections 846 and 841(a)(1), as alleged in Count 2 of this indictment; in violation of Title 18, United States Code, Sections 1956(h) and 1956(a)(2)(A)(i).

Count 4

Beginning in or about November, 2000, and continuing up to and including October, 2001, within the Southern District of California, and elsewhere, defendant DENNIS LOUIS ALBA did knowingly and intentionally conspire with other persons known and unknown to the grand jury to conduct financial transactions, that is, the transfer, delivery and movement of funds by wire and other means affecting interstate and foreign commerce, which involved the proceeds of a specified unlawful activity, that is, conspiracy to manufacture and distribute a controlled substance, to wit, 3,4 Methylenedioxyamphetaimine ("MDA"), commonly known as "ecstasy", a Schedule I Controlled Substance, in violation of Title 21, United States Code, Sections 846 and 841(a)(1), as alleged in Count 2 of this indictment, punishable under the laws of the United States, with the

1 intent to promote the carrying on of said specified unlawful activity,
2 and that while conducting and attempting to conduct such financial
3 transactions, defendant DENNIS LOUIS ALBA knew that the property
4 involved in the financial transaction represented the proceeds of some
5 form of unlawful activity; in violation of Title 18, United States
6 Code, Sections 1956(h) and 1956(a)(1)(A)(i).

7 **FORFEITURE ALLEGATION**

8 The allegations contained in Count 2 are realleged and by
9 reference are fully incorporated herein for the purpose of alleging
10 forfeiture to the United States of America pursuant to the provisions
11 of Title 21, United States Code, Section 853.

12 As a result of the commission of the felony offense alleged in
13 Count 2, said violation being punishable by imprisonment for more than
14 one year, and pursuant to Title 21, United States Code,
15 Section 853(a)(1), defendants DENNIS LOUIS ALBA, MARK STEPHEN
16 FORRESTER, DONALD LEE WALTERS, HOBART HUSON, aka Strike, WALTER CRAIG
17 FORRESTER, MARTIN GOMEZ-MARISCAL, AARON LEON LITTERAL, RAFAEL
18 HERNANDEZ-MENDEZ, ISRAEL HERNANDEZ-MENDEZ, JUAN CHAVEZ-LARA, KARL
19 VINCENT TAMEZ, DEREK MEYER GALANIS, DAVID KAZUMI WADA, DEAN EDWARD
20 BOWEN, BRIAN DUFF CHAPMAN, KENNETH ARTHUR CUTLER, TED FRANK LEBLANC
21 and LISA GENE AARHUS shall, upon conviction, forfeit to the United
22 States all their rights, title and interest in any and all property
23 constituting, and derived from, any proceeds said defendants obtained,
24 directly or indirectly, as the result of the commission of the
25 violation alleged in Count 2 of this indictment.

26 All in violation of Title 21, United States Code, Sections 841(a)(1)
27 and 853.

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1 Also as a result of the commission of the felony offense alleged
2 in Count 2, said violation being punishable by imprisonment for more
3 than one year, and pursuant to Title 21, United States Code,
4 Section 853(a)(2), defendants DENNIS LOUIS ALBA, MARK STEPHEN
5 FORRESTER, DONALD LEE WALTERS, HOBART HUSON, aka Strike, WALTER CRAIG
6 FORRESTER, MARTIN GOMEZ-MARISCAL, AARON LEON LITTERAL, RAFAEL
7 HERNANDEZ-MENDEZ, ISRAEL HERNANDEZ-MENDEZ, JUAN CHAVEZ-LARA, KARL
8 VINCENT TAMEZ, DEREK MEYER GALANIS, DAVID KAZUMI WADA, DEAN EDWARD
9 BOWEN, BRIAN DUFF CHAPMAN, KENNETH ARTHUR CUTLER, TED FRANK LEBLANC
10 and LISA GENE AARHUS shall, upon conviction, forfeit to the United
11 States all their rights, title and interest in any and all property
12 used and intended to be used in any manner or part to commit or to
13 facilitate the commission of the violation alleged in Count 2 of this
14 indictment.

15 All in violation of Title 21, United States Code, Sections 841(a)(1)
16 and 853.

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1 If any of the forfeitable property, referred to above, as a
2 result of any act or omission of the defendants,

3 (1) cannot be located upon the exercise of due diligence;

4 (2) has been transferred or sold to or deposited with a third
5 person;

6 (3) has been placed beyond the jurisdiction of the Court;

7 (4) has been substantially diminished in value;


8 (5) has been commingled with other property which cannot be
9 subdivided without difficulty; it is the intent of the United States,
10 pursuant to Title 21, United States Code, Section 853(p), to seek
11 forfeiture of any other property of said defendants up to the value
12 of the above forfeitable property.

13 DATED: October 26, 2001.

14 A TRUE BILL:

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16 _____
17 Foreperson

18 PATRICK K. O'TOOLE
19 United States Attorney

20 By: 
21 TODD W. ROBINSON
22 Assistant U.S. Attorney
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